

# OPPENHEIMER

OPPENHEIMER WOLFF & DONNELLY LLP

Plaza VII, Suite 3300  
45 South Seventh Street  
Minneapolis, MN 55402-1609

612.607.7000  
Fax 612.607.7100

## FAX COVER LETTER

April 5, 2005

**TO:** Examiner Michael Cuff  
**COMPANY:** U.S. Patent and Trademark Office – Art Unit 3627  
**PHONE:** 703.308.0610  
**FAX:** 703.872.9306

**FROM:** Rudolph P. Hofmann  
**DIRECT DIAL:** (612) 607-7340  
**EMAIL:** RHofmann@oppenheimer.com  
**RE:** U.S. Patent Application No. 09/470,041  
Attorney Docket No.: 60021-339701

### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that a Request for Continued Examination (RCE), Fee Transmittal, and Petition for One Month Extension of Time are being facsimile transmitted to the U.S. Patent and Trademark Office on the date listed below.

  
Janet Byrne

April 5, 2005  
Date

This facsimile contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged. If you are not the addressee, or the person responsible for delivering it to the addressee, you are hereby notified that reading, disseminating, distributing or copying this facsimile is strictly prohibited. If you have received this facsimile by mistake, please immediately notify us by telephone and return the original message to us at the address above via the Postal Service (we will reimburse postage). Thank you.

Originals: Not being sent

Completed by: Janet Byrne/7401

You should receive 3 page(s) excluding this page.  
If the transmission is incomplete, please call 612.607.7276 as soon as possible.

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/470,041
	Filing date	December 22, 1999
	First Named Inventor	William Ng
	Art Unit	3627
	Examiner Name	Michael A. Cuff
	Attorney Docket Number	60021-339701

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 CFR 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on March 4, 2005.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- b. ☒ Enclosed
- i. ☐ Amendment(s)/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_ and Returned Postcard.

**2. Miscellaneous**


- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103@ for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_.

**3. Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1901.
- i. ☒ RCE fee required under 37 CFR 1.17(e). - \$790
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) \$120.
- iii. ☐ Other \_\_\_\_\_.
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)


**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Rudolph P. Hofmann	Registration No. (Attorney/Agent)	38,187
Signature		Date:	April 5, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Janet Byrne	Date:	April 5, 2005
Signature			

ODPHNHFIMER 2312339 v01 04/05/2005